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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/080,065	02/19/2002	Yevgeniy Eugene Shteyn	US 028015	8549

7590 09/30/2004

Corporate Patent Counsel
U.S. Philips Corporation
580 White Plains Road
Tarrytown, NY 10591

EXAMINER

MOSSER, ROBERT E

ART UNIT	PAPER NUMBER
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3714

DATE MAILED: 09/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED

OCT 21 2004

TECHNOLOGY CENTER R3700

Office Action Summary

Application No.

10/080,065

Applicant(s)

SHTEYN, YEVGENIY EUGENE

Examiner

Robert Mosser

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on June 9th 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 11-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1- and, 11-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

♦
In response to amendment dated June 6th, 2004
Claims 1-7, and 11-13 are pending.
This Action is Final.
♦

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims **1-7** and **11-13** are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Regarding claims **1-7** and **11-13**.

The basis of this rejection is set forth in a two-prong test of:

- (1) whether the invention is within the technological arts; and
- (2) whether the invention produces a useful, concrete, and tangible result.

I. Technological Arts Analysis

For a claimed invention to be statutory, the claimed invention must be within the technological arts. Mere ideas in the abstract (i.e., abstract idea, law of nature, natural phenomena) that do not apply, involve, use, or advance the technological arts fail to promote the "progress of science and the useful arts" (i.e., the physical sciences as opposed to social sciences, for example) and therefore are found to be non-statutory subject matter. For a process claim to pass muster, the recited process must somehow apply, involve, use, or advance the technological arts.

In the present case, the claims are directed towards a user's interaction with a "virtual environment", the detection of "innovative aspects", that "can deliver the user an advantage", and "grant the user a degree of exclusivity". As disclosed this represents a mere manipulation of abstract concepts, which is devoid of any tangible physical structure or practical application of technology therein beyond the nominal recitation of such in a "virtual environment" as defined by the specification.

I.A. Nominal recitation of technology

Mere intended or nominal use of a component, albeit within the technological arts, does not confer statutory subject matter to an otherwise abstract idea if the component does not apply, involve, use, or advance the underlying process.

In the present case, **even** if the "virtual environment set forth in the perceived preamble of claims 1-7 and 11-13, was held to be bound within the use of technology these recitations are not functionally incorporated into the body of the claim in such a manner as to provide functionality inter-connect process.

II. Useful, Concrete and Tangible Analysis

Additionally, for a claimed invention to be statutory, the claimed invention must produce a useful, concrete, and tangible result. *["Usefulness" may be evidenced by, but not limited to, a specific utility of the claimed invention. "Concreteness" may be evidenced by, but not limited to, repeatability and/or implementation without undue*

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experimentation. "Tangibility" may be evidenced by, but not limited to, a real or actual effect.]

In the present case, the detection of an innovative aspect represents a non-concrete result as though the user may perform an innovative aspect the detection of this is limited by the detecting system and further defined in that which is innovative to the determining system only at that instance of time. Further the limitation of "enabling to benefit" is non-definitive as there is no reliably predictable result in which the user would benefit from their innovative aspect if the user did not continue to utilize their innovative aspect, others were not interested in their innovative aspect, and/or their innovative aspect produced results less effective than a known aspect presently available. Furthermore, the result claimed in that the user "benefits" from registering the information. It is the examiners position that this "benefit" is not a tangible result.

Claims 2-7 and 13 fail to correct the deficiency of claims 1, 11 and 12 presented above and ergo are rejected under the statute for the reasons laid forth herein.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-7, and 11-13 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter

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which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Specifically, it does not appear as if the invention could be practiced to produce a concrete result without undue experimentation. The factors set forth for a determination of undue experimentation are set forth in MPEP 2164.01(a), following the analysis in *In re Wands*, 858 F.2d 731, 737, 8 USPQ2d 1400, 1404 (Fed. Cir. 1988). In this case, the examiner has considered each of these factors in arriving at the conclusion that the invention could not produce a concrete result without undue experimentation. The evidence in the application file has been considered for each of these factors as a whole and all of the factual considerations have been weighed. Specifically, the intended operation of the process is to detect an innovative aspect in an interaction with a user. The factors used in the process are very subjective in nature (determining what is innovative and what is not.), with any result of the process being speculative at best. Applicant has not set forth any objective evidence or direction in the record that would lead one of ordinary skill in the art to be able to analyze these highly subjective factors and arrive at a specific, predictable result. The very low predictability of this invention due to the subjective nature of the elements used therein, coupled with the lack of direction provided by the specification and the subjective nature of the invention far outweigh all other *Wands* factors when considering the necessity for undue experimentation.

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The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-7, and 11-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1, 11, 12 and claims 2-7, 13 through their dependence thereon. It is not clear what is meant by "innovative aspect" nor is it clear what is being subjected to the "enabling" steps.

Regarding claims 11-12 the use of the conditional statement "can" in the preamble without further laying forth when it would or would not perform the specified method and/or what steps would be performed is indefinite.

Regarding claims 1 and 11-12 the claimed "degree of exclusivity" is indefinite, as a degree may be understood to encompass any amount from 0% to 100%. While broad claims do not necessitate indefiniteness, in this case the determination by which this degree of exclusivity is determined is not set forth and as such would make the meets and bounds of the invention unclear to one of ordinary skill in the art.

Claims not directly addressed are incorporated in this rejection through their dependency on the rejected independent claims 1, 11, and 12.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims **1-7**, and **11-13** are rejected under 35 U.S.C. 102(b) as being anticipated by Interplays "The Vault Dweller's Survival Guide" herein after referred to as DSG.

DSG teaches a computer (electronic) game released under the name "Fallout" wherein the player (character) wanders a post-nuclear landscape (virtual environment) including various hostile creatures (rats) in a labyrinth (the cave in the tutorial). The player is assigned "stats" including attributes as so claimed that evolve based on the player's interaction with the environment. Dependent on the player's interaction they are permitted to choose an innovative aspect (perk) that only the player is permitted to utilize (exclusive right) in the virtual environment and provides the player an advantage in the environment including a monetary reward associated with the Fortune Finder perk. DSG allows a player to share the information regarding their character's possession of perks with other characters conditionally dependent on the player choice to do so (see pages 2/1-2/6, 3/18, 2/20, 5/23-5/34 and appendix A).

Response to Arguments

Applicant's arguments filed June 9th, 2004 have been fully considered but they are not persuasive.

Applicant attempts to define enabling in language not presented in their specification as originally filed and in a manner inconsistent with it's commonly understood meaning. Further applicant fails to specify what is being enabled in the

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present claims and hence has not provided any support in the claim language for their intended use of "enabling".

Applicant has not addressed the requirement for corrected drawings and is reminded that failure to do so in the future may result in the holding of future amendments as non-responsive and/or the abandonment of their application.

Applicant's has not corrected the USC 101 issues present and seems to argue the "useful" aspect of the invention that has not presently been challenged.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

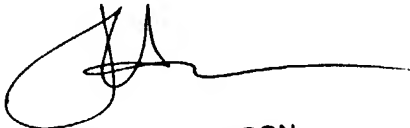
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Mosser whose telephone number is (703)-305-4253. The examiner can normally be reached on 8:30-4:30 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris H Banks can be reached on 703-308-1745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

REM



JESSICA HARRISON
PRIMARY EXAMINER

Notice of References Cited	Application/Control No. 10/080,065	Applicant(s)/Patent Under Reexamination SHTEYN, YEVGENIY EUGENE	
	Examiner Robert Mosser	Art Unit 3714	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-			
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

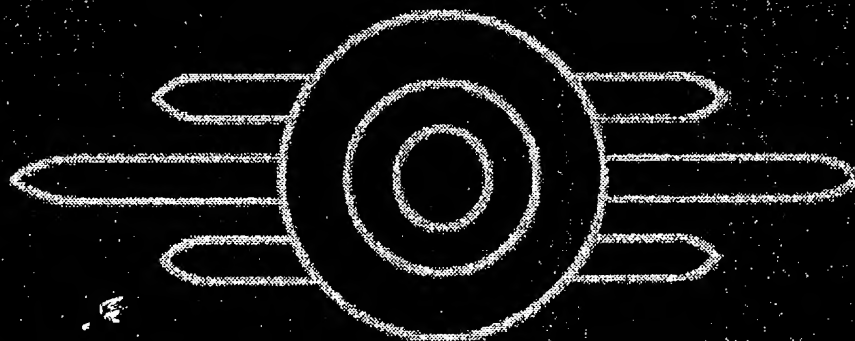
NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	Vault Dweller's Survival Guide © 1997 Interplay pg cover, 2/1-2/6, 3/18, 4/20, 5/23-5/34, & Appendix 1
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

RESTRICTED

VAULT DWELLER'S
SURVIVAL GUIDE



RESTRICTED

VDSG VTB-001-13

RESTRICTED

VAULT DWELLER'S SURVIVAL GUIDE

**ISSUED BY VAULT-TEC DOCUMENTATION
DEPARTMENT, JANUARY, 2077**

NOTICE.--This document contains information affecting the national defense of the United States within the meaning of the New Amended Espionage Act, 50 U.S.C., 31 and 32. Its transmission or the revelation of its contents in any manner to an unauthorized person is prohibited by the law.

RESTRICTED

VD SG VTB-001-13

SIMTEK OPERATIONS

The Vault-Tec Research Group has determined that after a long period of security, many Vault-Dwellers will feel "uncomfortable" with the idea of returning to the outside world. The SimTek 5000 will provide a safe and reassuring return to life on the outside world. This chapter will give you a brief walk-through of the operation of the SimTek 5000.

Experienced Vault Dwellers may want to start with Character Creation, and skip this tutorial chapter. For beginning Vault Dwellers, this tutorial will prepare you for the outside world.

After starting the Fallout process on your terminal, click on the NEW GAME button from the Main Menu.

The character selection screen will appear. For now, keep the personnel record of Max Stone displayed and select TAKE. This will choose Max as your character. In the future, you may want to select another character, or even create your own character.

The simulation will now start. After a briefing by the Vault Overseer as to your immediate task, you will appear outside the Vault Blast Door.

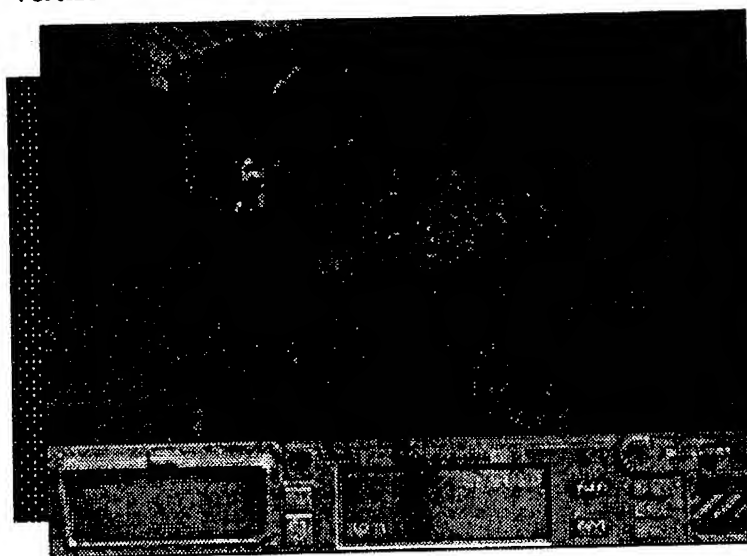


Figure 2-1:
Starting out,
right outside the
Vault Door. Click
the INV button to
open your
inventory and
equip yourself.

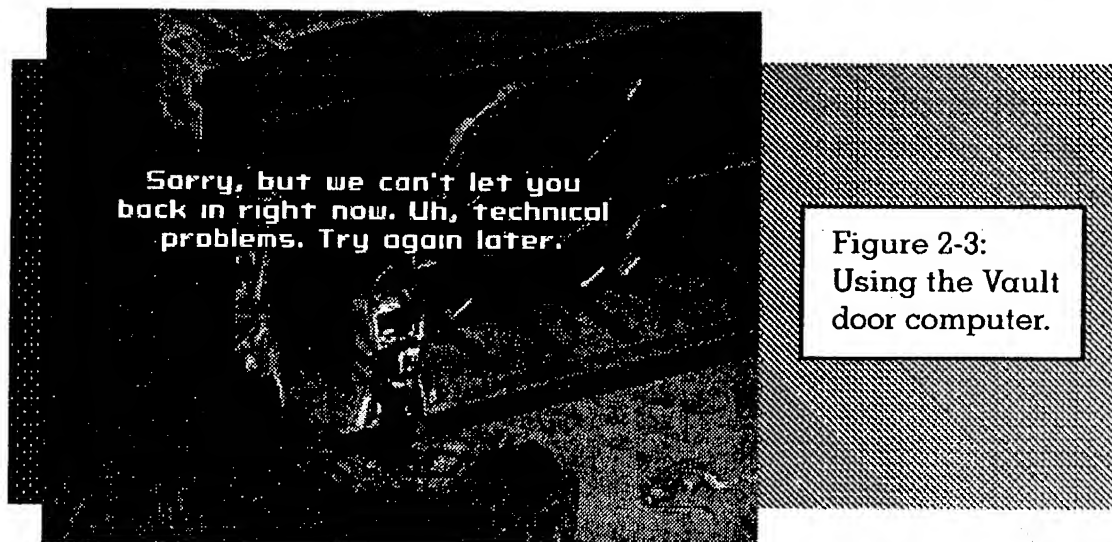
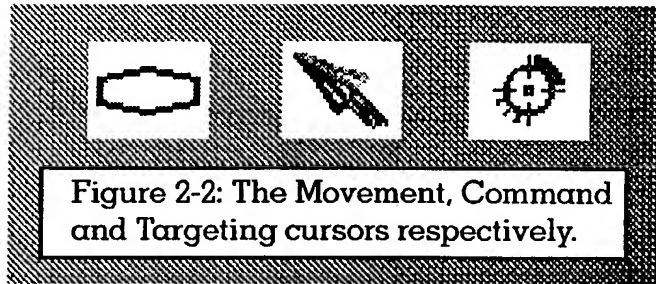
Your first action should be to equip yourself with armament. All Vault-Tec prepared Vaults come with the latest in offensive and defensive equipment. You will be supplied with the most lethal self-protective devices available.

Click the INV button on the interface bar at the bottom of the screen. The hand cursor allows you to move items around in your

inventory. Click and drag the pistol to the ITEM 1 slot. Release the mouse button. You are now armed! Move the brass knuckles to the ITEM 2 slot. Click on the DONE button. You will return to the main game view.

The hex cursor is a movement cursor. Move it to where you want to walk, and left-click to start walking there. For now, move your mouse until the movement cursor is adjacent to the computer next to the door. Left-click once to walk there. As you are walking, you can move the movement cursor to another location. If you want to interrupt your current walk, simply left-click again.

Once you are standing next to the computer, right-click once. This will change the cursor from the movement cursor to the command cursor. The command cursor is how you interact with items/objects in the environment and other people. Right-click once on the computer. This will make your character "use" the computer. Now look at the display window in the lower left-hand corner of the screen. Try using the computer again.



Left-click on your character a couple of times. Notice that it rotates you around. Your facing generally does not matter, as your character will turn to face whatever direction is important when needed. For now, right-click again to change the cursor back to the movement cursor. Walk to the right side of the large vault door.

Now change to the command cursor. Left-click on the computer. If you are standing too far away from an object, you will automatically walk or run there when you attempt to use the object.

Walk south, moving further into the cave. Watch out for vermin!

If you move too close to a rat, it will decide to attack you. After it moves up to you and bites, combat will start. Notice that the combat buttons in the lower right-hand corner of the interface bar open up. It's now combat! Left-click on the pistol. The cursor will change to a target and the rat will be outlined in red. Move the target cursor over the rat. The number next to the cursor is how likely you are to hit it. It should be a pretty big number. Left-click the mouse button to shoot the rat. The closer you are to your target, the easier it is to hit them with a ranged weapon.

If you miss it, or it takes the bullet but doesn't die, click on the big red button that is attached to the button with the pistol. It should change the active item from the pistol to the brass knuckles. Left-click on the brass knuckles to attack with them. Target the rat again. You can continue to attack until you run out of action points. The number of action points you have remaining is displayed by the row of green lights above your weapon. The cost to use a weapon is displayed in the lower left-hand side of the weapon button. When you have just a few action points remaining, end your turn by clicking on the END TURN button. Everyone else involved in the combat will get a chance to act, and then it will be your turn again. When your turn starts, your action points are restored.



Figure 2-4: The combat button. The END TURN button will end your current turn. The END CMBT button will attempt to stop the combat. If there are hostile creatures still involved, the fight will continue!

If the rat dies, combat will end. If the rat lives after your attacks, it will get another chance to attack you. You know it is the rat's turn when the lights on the interface bar turn from green to red. Don't worry, you'll get a turn soon enough. If the rat starts to

run away, you can end combat by clicking on the END COMBAT button.

Once the rat is dead, continue south through the caverns. Hold down the shift key and click on a hex to run instead of walking.

If you encounter rats, use a variety of weapons to attack them. You will notice that some weapons are easier or better to use. Due to the darkness of the caves, it is difficult to hit creatures at a distance. To increase the amount of light, and make it easier to see the rats, you might want to use one of your flares. Open inventory, right-click to change from the hand cursor to the inventory command cursor. Left-click and hold on the flare. A list of options will appear. From the top, the list of icons are: Examine, Use, Drop and Cancel. Move the mouse down to the Use action icon. Release the mouse button. The flare has now been activated. To keep it separate from the un-activated flare, it is moved to the bottom of your inventory list. Scroll down to the bottom of the list. Left-click and hold on the activated flare. Select the drop action icon. The lit flare will be dropped to the ground. Any attacks within the zone of light are easier than in the pure darkness of the cave. Experiment.

You might get hurt. If so, you need to heal yourself. Open your inventory and use a Stimpak. Stimpaks will heal your current hit points, but never over your maximum hit points. Another method of healing is to rest. Press Z on the keyboard. This will display the PIPBoy clock. Click on the Until Healed line in the display. You will spend time resting until all of your hit points are restored. Another way to access the clock is to click on the PIP button on the interface, and then click on the alarm clock icon in the upper left-hand corner of the PIPBoy. There are usually a couple of different ways of performing the major functions in the game.

When you get into another combat, select the pistol. Right-click once on the button. This will display the targeted attack symbol in the lower right-hand corner of the weapon button. When you make attacks now, you will make a targeted attack. This will let you attack specific locations on your target. Clicking on a target with the target cursor will display a new window. Select the location you want to attack by clicking on the name of the location.

Some areas of a rat are harder to hit. However, the chance of you doing more damage or some other effect is increased by making a targeted attack.

When you are tired of killing rats, you can try Sneaking past them. A good sneak will let you avoid the rats. Press the Skilldex button on the interface bar. Click on the Sneak skill. You will see Sneak printed just above the interface bar. As long as you are Sneaking, the rats will have a more difficult time of seeing you. If the rat does see you, they will start combat as usual. There is no combat penalty for trying to Sneak and getting caught at it.

Do not run. If you run, you cannot Sneak anymore. Sneak carefully around the rats.

There are other skills on the Skilldex that can be used. The First Aid and Doctor skills allow you to heal yourself and other characters in the game. All the skills except Sneak require that you give a target to use the skill on. If you are hurt, open the Skilldex and select First Aid. The targeting cursor will turn yellow. Click on your character. Depending on how good of a medic you are (the better your First Aid skill, the better you are at performing that skill), you will heal some hit point damage or do nothing.

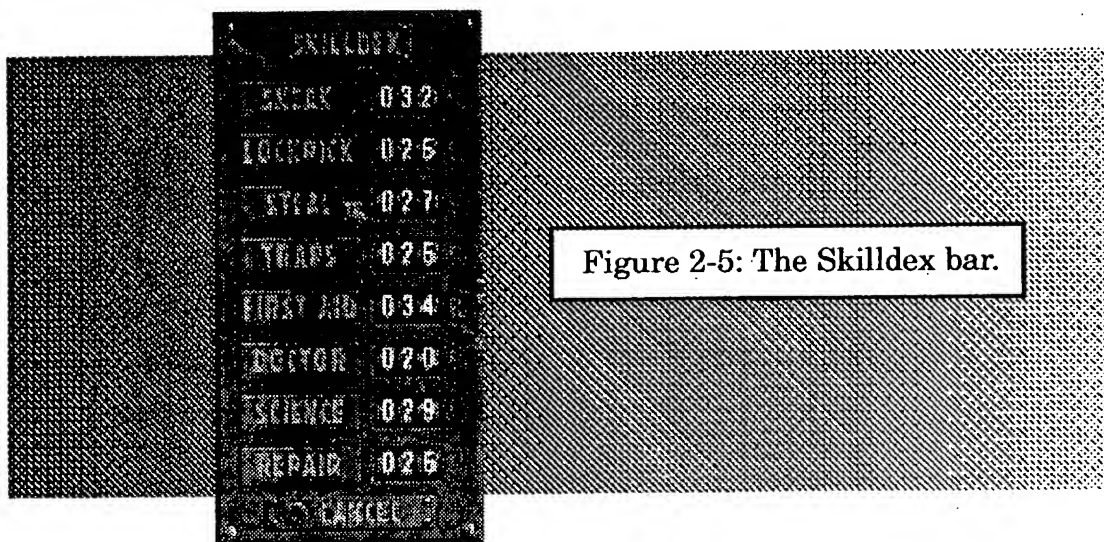


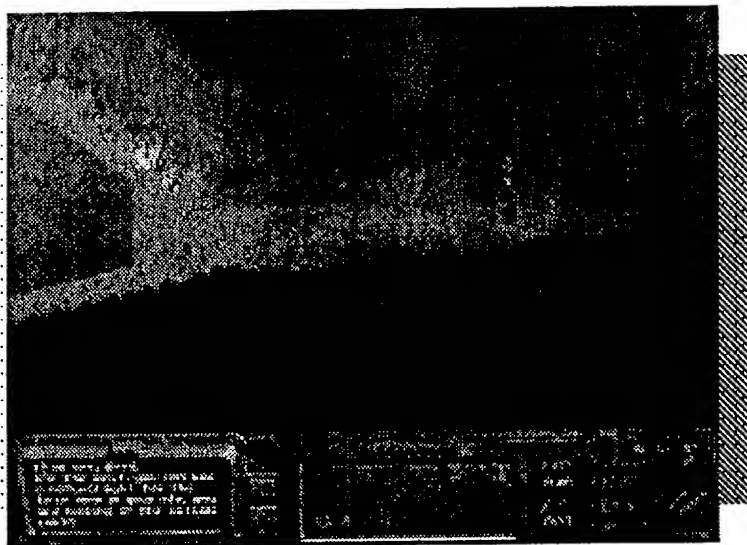
Figure 2-5: The Skilldex bar.

When you have explored enough of these caverns, go to the south and then to the west. The Automap, which can be accessed by clicking the MAP button or pressing the TAB key, will show your location in the caves. You are looking for a long tunnel in the southwest corner of the caverns.

When you reach the edge of the tunnel, you will see natural

light. Walk into the light. This will take you to the world map. The world map is how you get around the vast outdoors. Click on the Vault-15 button on the right-hand side of the screen. This will start walking you to your first destination.

Figure 2-6:
Exiting the
Vault caverns.
The patch of
darkness in the
light is the "exit
grid". Walk into
the exit grid to
leave the map.

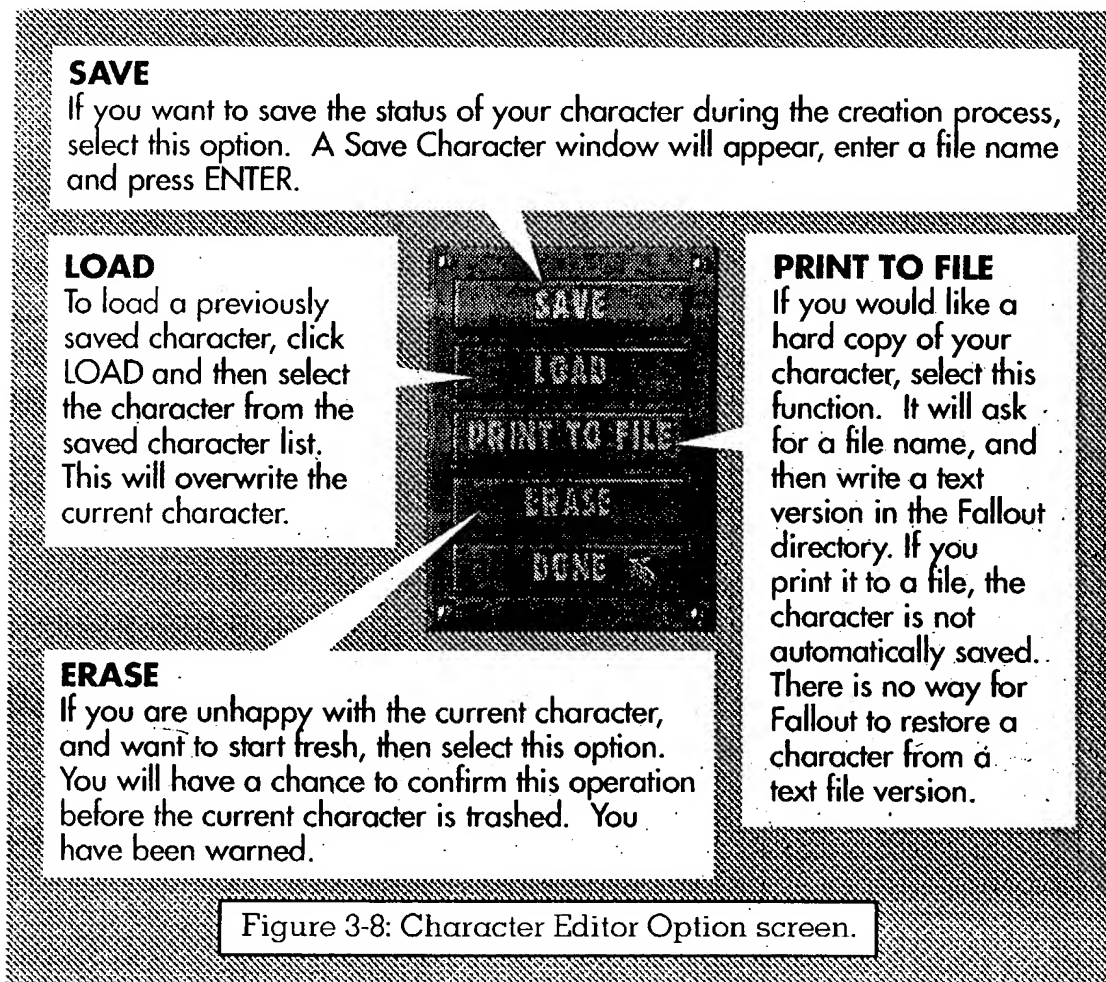


The world is dark to start. As you explore, areas will be revealed. A green circle on the world map denotes an important area. Vault-13 has a green circle since it is so important. You should stop and explore any other important areas that you come across. Be careful exploring. If you spend too much time looking for new areas, you could find that the Vault has run out of water. Since your mission is to save the Vault from this terrible end, you should do everything you can do to avoid it.

Good luck!

STEP #7: CHARACTER EDITOR OPTIONS

To help you create or modify a personnel record, we have included the following options - at no extra charge! Select the **OPTIONS** button at the bottom of the character editor screen to access a special Options menu.

**STEP #8: FINISHING YOUR CHARACTER**

As previously mentioned, click **DONE** on the character creation

at 0 (zero). If you act nobly, and perform great deeds, your character's reputation will rise (or go positive). If you act like a Commie, or other negative personality type, your character's reputation will sink (or go negative). Your character's reputation will affect different people in different ways. "Good" people will react positively to a good reputation, and poorly to a negative reputation. "Bad" people will react in the opposite manner. You may get other, specific reputations as well, or you could react poorly to chems. If you do, these reactions to your actions will show up under Karma. Use the character card to find out more information.

The third card is "Kills". As one could expect from the title of this data card, this will show how many of what you have slain in battle. Think of it as a score card. You might be interested in knowing that the number of things slain (which can include people, animals, dangerous mutants) will have an effect on your game. The more you kill, the greater the effect. The exact ramifications of your kills will be discovered as you play.

On the right-hand bottom part of the screen are three buttons: PRINT, CANCEL and DONE.

Print

This option will let you save the current record of your character as a text file on your own computer. Trade it with your friends, or gloat loudly. Select this option, and another screen will appear. Type in the name of the text file as you want it to be, and press ENTER.

Cancel

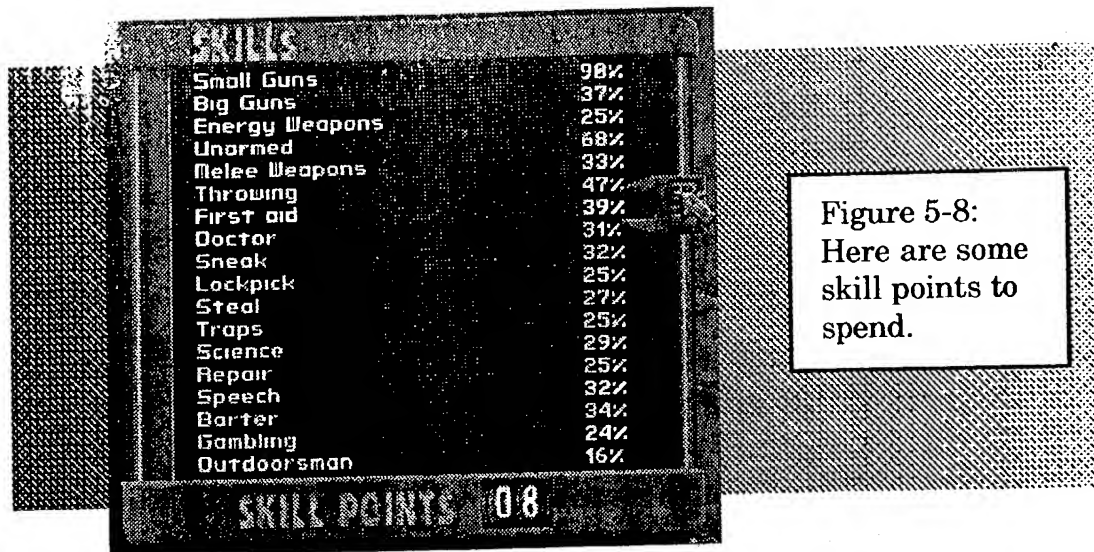
Return to the game. Any changes that you have made to your character since entering the character screen will be ignored, and your character returned to the state he or she was in before you entered the character screen.

Done

Accept any changes to your character and return to the game.

ROBCO PIPBOY 2000

To help Vault Dwellers record information (and information is extremely valuable, in fact, it might be the most valuable weapon we have against the end of civilization, so pay attention!), Vault-Tec has selected the RobCo Industries RobCo PIPBoy 2000 as the Personal Information Processor of choice for its Vault Dwellers.



SKILLS	
Small Guns	98%
Big Guns	37%
Energy Weapons	25%
Unarmed	68%
Melee Weapons	33%
Throwing	47%
First aid	39%
Doctor	31%
Sneak	32%
Lockpick	25%
Steal	27%
Traps	25%
Science	29%
Repair	25%
Speech	32%
Barter	34%
Gambling	24%
Outdoorsman	16%

SKILL POINTS 08

Figure 5-8:
Here are some
skill points to
spend.

Click on the skill name of the skill you want to spend some points on. The skill will highlight, and the pointer on the right-hand side of the skill column will jump to the skill level. You can spend points by clicking on the plus sign on the pointer. If you change your mind, and spend too many points, you can click on the minus sign (but you can't reduce your skill below the point where you started spending skill points, naturally). Until you actually hit the DONE button and return to the game, you can make as many adjustments as you wish. If you click on the CANCEL button, it will restore your character to the state you were in before making any changes.

You can spend as many skill points as you have in the skill point pool. Once you are out, you won't get any more skill points until you get another level.

The maximum skill level is 200%. If you have 200% in a skill, you cannot add more points to that skill.

PERKS

Besides skills, it is possible for experience to reward you in another manner - Perks. You get one Perk every three levels (level 3, 6, 9, 12, 15, 18, and 21), unless you have the Skilled trait (every four levels; level 4, 8, 12, 16, and 20). A Perk is a new ability. Perks are based on your character, and the list of Perks that you can choose from is based on what level, statistics, and skills your character has.

You will have the opportunity to pick a Perk when you enter the character screen after achieving a level that grants you a Perk. You can choose not to pick a Perk, but if you don't select one before the next Perk-granting level, you lose it.

Awareness

You are more likely to notice details. Buying one level of Awareness will give more detailed information when you perform an Examine. Each level of Awareness will add to your Perception for purposes of Examines.

Number of Ranks3

Requirements5 Perception, Level 3

Better Criticals

The critical hits you cause in combat are more devastating. You gain a 20% bonus on the critical hit table, almost ensuring that more damage will be done. This does not affect the chance to cause a critical hit.

Number of Ranks1

Requirements6 Perception, 6 Luck, 4 Agility, Level 9

Bonus HtH Attacks

You have learned the secret arts of the East, or you just punch faster. In any case, your hand-to-hand attacks cost 1 AP less to perform.

Number of Ranks1

Requirements6 Agility, Level 6

Bonus HtH Damage

Experience in unarmed combat has given you the edge when it comes to damage. You cause +2 points of damage with punches and kicks for each level of this Perk.

Number of Ranks3

Requirements6 Agility, 6 Strength, Level 3

Bonus Move

For each level of Bonus Move, you get 2 free APs each turn that can only be used for movement. In other words, you can move 2 free hexes each turn for each level of this Perk.

Number of Ranks3

Requirements5 Agility, Level 6

Bonus Ranged Damage

Your training in firearms and other ranged weapons has made you more deadly in ranged combat. For each level of this Perk, you do +2 points of damage with ranged weapons.

Number of Ranks2

Requirements6 Agility, 6 Luck, Level 6

Bonus Rate of Fire

This Perk allows you to pull the trigger a little more faster, and still remain as accurate as before. Each ranged weapon attack costs 1 AP less to perform.

Number of Ranks1

Requirements7 Agility, 6 Intelligence, 4 Perception, Level 9

Cult of Personality

Your reputation is always positive to people. Without this Perk, a large negative reputation would have a bad effect on good natured people. Works with a good rep and bad people, too.

Number of Ranks1

Requirements10 Charisma, Level 12

Dodger

You are less likely to be hit in combat, if you have this Perk. Every level will add +5% to your Armor Class, in addition to the AC bonus from any worn armor.

Number of Ranks2

Requirements4 Agility, Level 9

Earlier Sequence

You are more likely to move before your opponents in combat, since your Sequence is +2 for each level of this Perk.

Number of Ranks3

Requirements6 Perception, Level 3

Educated

Each level of Educated will add +2 skill points when you gain a new experience level. This Perk works best when purchased early in your adventure.

Number of Ranks3

Requirements6 Intelligence, Level 6

Empathy

You have studied other human beings, giving you the inside knowledge of their emotional reaction to you. You will see the reaction level of the person you are talking to, when involved in an in-depth conversation.

Number of Ranks1

Requirements7 Perception, 5 Intelligence, Level 6

Explorer

The mark of the Explorer is to search out new and interesting locations. With this Perk, you have a greater chance of finding special places or peoples.

Number of Ranks1

RequirementNone, Level 9

Faster Healing

With each level of this Perk, you will get a +1 bonus to your Healing Rate. Thus you heal faster.

Number of Ranks3

Requirements6 Endurance, Level 3

Flower Child

With this Perk, you are much less likely to be addicted to chems (50% less likely, actually), and you suffer half the withdrawal time of a normal person.

Number of Ranks1

Requirements5 Endurance, Level 9

Fortune Finder

You have the talent of finding money. You will find additional money in random encounters in the desert.

Number of Ranks1

Requirements8 Luck, Level 6

Friendly Foe

Characters that are part of your team are highlighted green in combat instead of red, if you have this Perk. Red highlighted characters may still be non-hostile towards you.

Number of Ranks1

Requirements4 Perception, Level 6

Ghost

When the sun goes down, or you are in a poorly lit area, you move like a Ghost with this Perk. Your Sneak skill is enhanced +20% during darkness conditions.

Number of Ranks1

Requirements60% Sneak, Level 6

Healer

The healing of bodies comes easier to you with this Perk. Each level will add 2-5 more hit points healed when using the First Aid or Doctor skills.

Number of Ranks3

Requirements7 Perception, 6 Agility, 5 Intelligence,
40% First Aid, Level 3

Heave Ho!

Each level of the Heave Ho! Perk will give your thrown weapons an additional +2 Strength for purposes of determining range only.

Number of Ranks3

RequirementsLevel 6

Lifegiver

With each level of this Perk, you gain an additional 4 Hit Points. This may not seem like a lot, but every little bit helps.

Number of Ranks3

Requirements4 Endurance, Level 12

Master Thief

A Master Thief has a one-time bonus of +10% to the Sneak, Lockpick, Steal and Traps skills. Rob from the rich, and give to you.

Number of Ranks1

RequirementsLevel 12

Master Trader

You have mastered one aspect of bartering - the ability to buy goods far cheaper than a normal person. With this Perk, you get a 25% discount when purchasing items from a store or another trader.

Number of Ranks1

Requirements7 Charisma, 60% Barter, Level 9

Medic

The Medic Perk will give you a one-time bonus of +20% to the First Aid and Doctor skills. Healing skills are a good thing.

Number of Ranks1

RequirementsLevel 12

Mental Block

Mental Block is the ability to tune out any outside mental interference. You must have learned this talent from a passing guru, or from a really late night at a bar.

Number of Ranks1

RequirementsLevel 15

More Criticals

You are more likely to cause Critical Hits in combat if you have this Perk. Each level of More Criticals will get you a +5% chance to cause a critical hit. This is a good thing.

Number of Ranks3

Requirements6 Luck, Level 6

Mr. Fixit

This Perk will give you a one-time bonus of +20% to the Repair and Science skills. A little late night cramming never hurt anybody, especially you.

Number of Ranks1

RequirementsNone, Level 12

Mutate!

The radiation of the wasteland has changed you! One of your Traits has mutated into something else...

Number of Ranks1

RequirementsLevel 9

Mysterious Stranger

With this Perk, you have gained the attention of a Mysterious Stranger, who will appear to help you from time to time. If your ally is lost in combat, do not expect him or her to be replaced.

Number of Ranks1

Requirements7 Luck, Level 6

Night Vision

With the Night Vision Perk, you can see in the dark better. Each level of this Perk will reduce the overall darkness level by 10%.

Number of Ranks3

Requirements6 Perception, Level 3

Pathfinder

The Pathfinder is better able to find the shortest route. With this Perk, your travel time on the World Map is reduced by 25% for each level.

Number of Ranks2

Requirements6 Endurance, 40% Outdoorsman,
Level 6

Pickpocket

You are much more adept at Stealing than the normal crook. You can Steal with the best of them, because with this Perk, you ignore size and facing modifiers, when stealing from a person.

Number of Ranks1

Requirements8 Agility, 80% Steal, Level 9

Presence

You command attention by just walking into a room. The initial reaction of another person is improved by 10% for each level of this Perk.

Number of Ranks3

Requirements6 Charisma, Level 3

Quick Pockets

You have learned to better store your equipment on your person. With each level of this Perk, the AP cost to access Inventory in combat is reduced by one.

Number of Ranks3

Requirements5 Agility, Level 3

Rad Resistance

You are better able to avoid radiation, and the bad effects radiation causes. Each level of this Perk will improve your Radiation Resistance by 10%.

Number of Ranks3

Requirements6 Endurance, 4 Intelligence, Level 6

Ranger

You are better able to avoid unwanted attention while traveling through the wasteland. Your chance of a hostile random encounter is lowered by each level of this Perk.

Number of Ranks3

Requirements6 Perception, Level 6

Scout

You have improved your ability to see distant locations, increasing the size of explorations on the World Map by one square in each direction.

Number of Ranks1

Requirements8 Perception, Level 3

Scrounger

You can find more ammo than the normal post-holocaust survivor. This Perk will double the amount of ammo found in random encounters.

Number of Ranks1

Requirements8 Luck, Level 9

Sharpshooter

The talent of hitting things at longer distances. You get a +2 bonus, for each level of this Perk, to Perception for the purposes of determining range modifiers. It's easier than ever to kill at long range!

Number of Ranks2

Requirements7 Perception, 6 Intelligence, Level 6

Silent Death

While Sneaking, if you hit a critter in the back, you will cause double damage using a HtH attack. Silent Death is that kind of Perk.

Number of Ranks1

Requirements10 Agility, 80% Sneak, Level 18

Silent Running

With this Perk, you now have the ability to move quickly and still remain quiet. You can Sneak, and run at the same time. Without this Perk, you would automatically stop Sneaking if you ran.

Number of Ranks1

Requirements6 Agility, 50% Sneak, Level 6

Survivalist

You are a master of the outdoors. This Perk confers the ability to survive in hostile environments. You get a +20% bonus to Outdoorsman for survival purposes, for each level of this Perk.

Number of Ranks3

Requirements6 Endurance, 6 Intelligence,
40% Outdoorsman, Level 3

Swift Learner

You are indeed a Swift Learner with this Perk, as each level will give you an additional +5% bonus whenever you earn experience points. Best purchased at an early level.

Number of Ranks3

Requirements4 Intelligence, Level 3

Tag!

Your skills have improved to the point where you can pick an additional Tag Skill, increasing that skill by +20% immediately and 2% per skill point spent.

Number of Ranks1

RequirementsLevel 12

Toughness

When you are tough, you take less damage. Each level of this Perk will add +10% to your general damage resistance.

Number of Ranks3

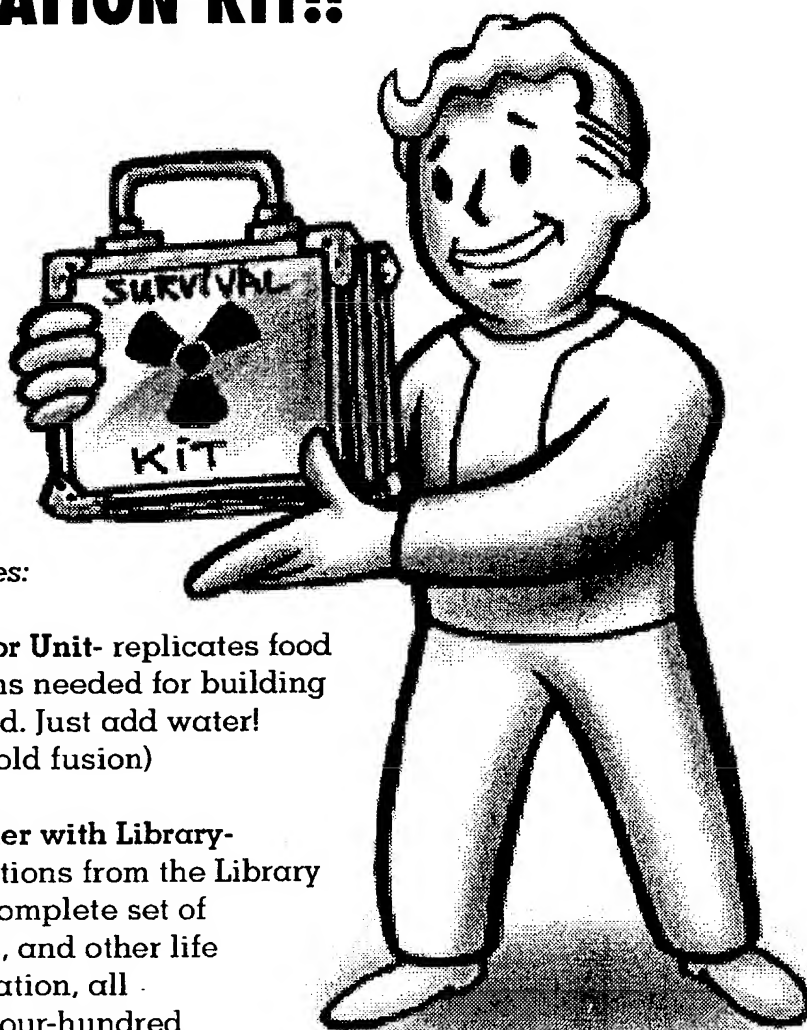
Requirements6 Endurance, 6 Luck, Level 3



Future-Tec, a division of Vault-Tec, presents the following advertisement for your enjoyment!

When the All Clear sounds on your radio, you don't want to be caught without...

THE GARDEN OF EDEN CREATION KIT!!



The kit includes:

Base Replicator Unit- replicates food and basic items needed for building your new world. Just add water! (powered by cold fusion)

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and...

A Miniature Pen Flashlight!²

4 out of 5 nuclear scientists recommend the Garden of Eden Creation Kit over the other leading survival kits!

¹A condensed version is available on three handy holodiscs

²Not suitable for children under the age of three. A different toy is available for younger children.

APPENDIX 1: HINTS & TIPS

Here are some hints and tips to help you in your quest to save Vault-13. Warning!! There are some spoilers in the list below. If you don't want to spoil any part of the Fallout adventure, don't read! Most of the tips are general hints that will be familiar to experienced adventurers.

Starting Out

When you start out, remember to equip your character with the best possible equipment as soon as possible. Strip your fallen foes, barter the loot away and steal (if you think you can get away with it, and are willing to live with the consequences of your actions).

Save Often

You have ten save game slots. Use them well. Before you get to a new location, save your game. Before entering a dangerous looking building, save your game. Before talking to an important looking NPC, save your game. And use all of your save game slots. Don't keep saving over slot 1. If something goes drastically wrong, it's better to be able to move a couple of saved games back and restore from there instead of having to start over from the very beginning.

Be Nice to People

More often than not, a good reaction will help you. That's not to say that going the route of a heavy, or kicking some poor loser into the dirt won't help, but a few kind words and deeds will help you out in the long run.

Punch People in the Nose

If you can't get your way, then learn how to force your opinion down their throat (with a 10mm if necessary). Words are nice, but you don't have a whole lot of time, and it might be easier to be the bad guy occasionally to get what you want. A little badness every now and then won't hurt you too much.

Time!

Remember that you are on the clock. The Vault is dying of thirst, and they have entrusted you with their lives. Don't let them down. Solving the water-chip adventure sooner rather than later will

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let you explore more easily and without as much pressure. Don't spend too much time diddling around. The Fallout world is advancing. Your actions will change the course the world will follow, but the world will continue to move ahead without you.

Save! Save! Save!

Did we mention to save your game? Fallout combat is deadly. Getting shot in the eye is no fun, and many Fallout combats will result in painful injuries. Can you afford to restart from an old saved game, and make up lost ground? No! Save your game!

Where do I go from here?

If you are having a lot of difficulty determining what to do next, follow these steps:

- (a) Talk to people - many people will give you clues to new locations or places to go.
- (b) Explore the world - the Fallout world is southern California, so go to where there is a city and look for it on the world map. Also make sure to stop at every green-circle area - that means it is an important location. The extra distance you can see as you travel will give you a better chance of finding these locations.
- (c) The Overseer - if you are completely stuck, try going back to the Overseer, he might have new information for you. Save your game where you are at (there is that Save word again), and then make the long journey back to the Vault. Talk to the Overseer. If the trip was for nothing, restore your previously saved game and look elsewhere. That way you don't waste any time.

Specialize

For the first couple of levels, spend your skill points in two or three skills. Master a small set of skills before attempting to master them all. Spend your skill points as soon as you gain a level. When you create a character, try to make it a theme character. (A thief, a diplomat and a warrior were the three themes we chose; can you think of any others?). Pick Tag skills that will give you an advantage. If you know that you are going to spend a lot of skill points for a particular skill, make that skill a Tag skill. The 2% for every 1 skill point is a major advantage.

AUDIO

Audio Director	Charles Deenen
Audio Mastering	Craig Duman
Background TV music	Ronald Valdez
Cinematics Re-recording Mixer	Dave West
Cinematics Soundeffects	West Productions
Foley Artists	Doug Turner Gary Murell Larry Peacock
Foley Editor	Caron Weidner
Foley Mixer	Debby Ruby
Foley Mixer/Artist	Cecilia Perna
Foley Recorded at	West Productions
Foley Supervision	Charles Deenen Larry Peacock
FX Editor	Michael Dickeson
Music By	Mark Morgan for Four Bars Entertainment
Intro Re-Recording Mixer	Charles Deenen
Music Supervisor	Brian Luziotti
Sound FX Librarians	Doug Rappaport Sergio Bustamante II Ron Valdez
Sound FX Designers	Charles Deenen Gregory Allen Larry Peacock EFX Weddington Caron Weidner
Voice Editors	Doug Rappaport Sergio Bustamante II
Voice Producer	Fred Hatch
Voice Recording Engineer	Paul Hurtubise
Voice Supervisor	Chris Borders
Voice Talent Coordination	Julie Morgavi
Voice Dialogue Recorded At	Hollywood Recording Services Hollywood, CA
Voice Direction	Jamie Thomason

FEATURING THE VOICES OF

Harold	Charlie Adler
Killian	Richard Dean Anderson
Loxley	Jeff Bennett
Rhombus	Clancy Brown
Set, Gizmo, The Master	Jim Cummings
Decker	Keith David
Harry.....	Brad Garrett
The Lieutenant.....	Tony Jay
Jain	Tress MacNeille
Overseer	Ken Mars
Cabbot.....	Richard Moll
Butch Harris, Narrator	Ron Perlman
Vree	CCH Pounder
Nichole	Pam Segall
Aradesh.....	Tony Shalub
Laura, The Master	Kath Soucie
Tandi	Cree Summer
Morpheus	David Warner
Maxson.....	Frank Welker

"Maybe"
Performed by Ink Spots
Courtesy of MCA Records
By Arrangement with Universal Music Special
Markets, Inc.

MAYBE
Written by Allan Flynn and Frank Madden
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Special thanks to the Fallout webpage bulletin board members for comments, suggestions and bug reports about the demo. Your feedback was appreciated!

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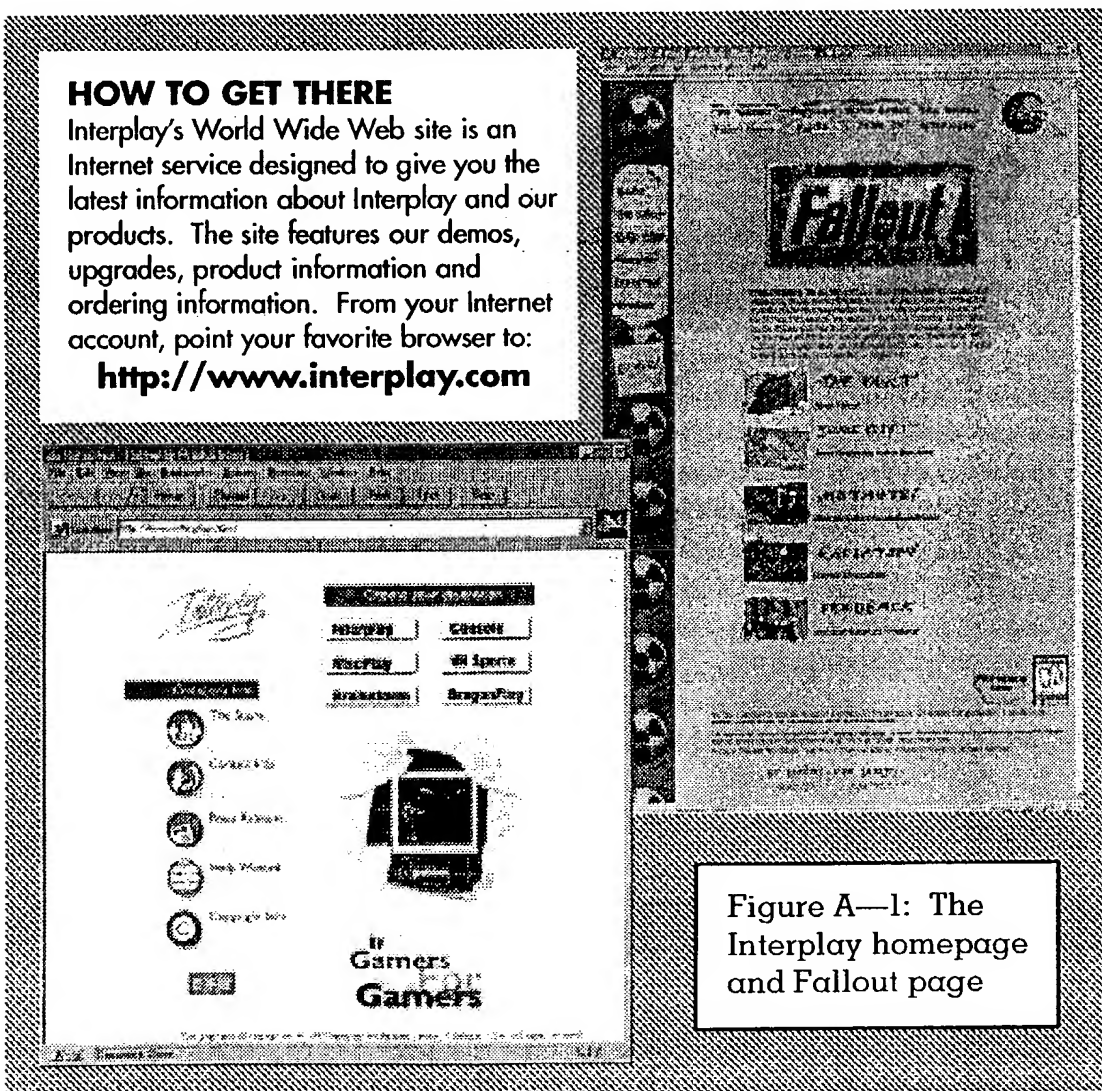
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Once again, Welcome!
Brian Fargo



APPENDIX 6: SURVIVAL RECIPES

Mushroom Clouds

(preheat oven to 200 degrees Fahrenheit)

3-4 egg whites (at room temperature)
1/4 tsp cream of tartar
1 cup superfine sugar*

cocoa
8 oz dark chocolate
(bittersweet or semi-sweet)

Beat the eggs and tartar with an electric mixer until soft peaks form. Add the sugar a little at a time while continuing to beat, until all the sugar is in and the mixture is glossy and stiff.

Using a piping bag with a no. 8 tip, pipe out an equal number of caps and stems onto an ungreased non-stick cookie sheet. The caps should be about the diameter of a quarter, and the stems should be about an inch high and the diameter of a soda straw.

Sprinkle cocoa over the caps and stems, and then blow on them to spread out the cocoa more evenly. You may want to do this outside, as cocoa goes everywhere.

Bake for 2 hours at 200 degrees.

Carefully remove the caps and stems from the cookie sheet. With a dull knife, snip the top of each stem so it has a flat top surface.

Melt the chocolate (in a double boiler or microwave). Spread the chocolate on the base of each cap with a butter knife or spatula, and use it to glue a stem in place. Put the assembled mushrooms in the refrigerator for 20 minutes to harden the chocolate, then put them in an airtight container.

Makes 3-4 dozen.

Desert Salad

(Increase or reduce ingredient portions to taste)

1 lb. extra lean ground beef
(turkey may be substituted)
1/2 head of iceberg lettuce, cut
3 oz. pinto beans
6 oz. sliced olives
4 oz. cheddar cheese

6 oz. tortilla chips
1 firm tomato
1 16oz. bottle of Catalina
dressing
1 avocado (optional)

Brown the meat, drain.

In large bowl, mix lettuce, beans, and olives. Crush chips and add. Cut tomato into small chunks and add to bowl. Shred cheese and add. Slice avocado and add. Add meat. Toss with dressing. Serve.

Makes 4-6 portions.

*superfine sugar is NOT confectioner's sugar or 10X sugar. If you cannot find superfine sugar, it's easy to make. Just put granulated sugar in a blender or food processor, and blend for 1 minute.



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APPENDIX 7: QUICK KEYS

	Character Screen		Use Traps Skill
	Inventory		Use First Aid Skill
	PIPBoy 2000 Main Screen		Use Doctor Skill
	PIPBoy Clock		Use Science Skill
or	Options		Use Repair Skill
	Toggle Active Items		Show Date and Time
	Toggle Mouse Mode		Rotate Counterclockwise
	Toggle Active Item Mode		Rotate Clockwise
	Skilldex		Combat: End Turn
	Use Sneak Skill		Combat: End Combat
	Use Lockpick Skill	-or-	Non Combat: DONE
	Use Steal Skill		Automap
			Center Screen on PC

	Decrease Brightness		Quick Save
	Increase Brightness		Quick Load
	Help	or +	Exit to Main Menu
	Master Volume Down		Save Screenshot
	Master Volume Up	+ +	Pause
or +	Save Game		
or +	Load Game		

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Schedule

June 2004	TCs 1600, 1700, 2800 and 2900
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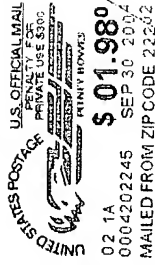
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